

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12575 of Edward T. Breathitt, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the prohibition against locating an open parking space less than ten feet from an existing dwelling (Paragraph 7205.21) to allow parking in an existing driveway in the R-1-A District at the premises 2721 31st Street, N.W., (Square 2125, Lot 22).

HEARING DATE: February 15, 1978

DECISION DATE: February 15, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located at 2721 31st Street, N.W. and is in an R-1-A District.
2. The subject lot is 7,000 square feet in area and is improved with a two story brick detached residence.
3. The immediate surrounding area is comprised of detached residences.
4. The applicant seeks the Board's permission to locate an open parking space less than ten feet from an existing dwelling to allow parking in an existing driveway.
5. The District of Columbia by building permit No. B-252841, dated July 11, 1977, authorized applicant to replace the eighteen foot overhead garage door with three double hung windows and one panel exterior door. A deposit was left with the Department of Transportation to close the exiting curb cut but has remained on deposit pending the applicant's subject application before the BZA.
6. The garage had been used by the applicant and previous owners for storage and not for parking, since the turn-around in front of the garage is not large enough to permit easy and safe access by vehicles. The edge of the turn-around is located by a verticle drop of several feet, which discourages parking except in the driveway.

7. The subject driveway has been used by the present and former occupants of the property for occasional parking and for deliveries. The applicant usually parks in the front of the house on 31st Street and uses the driveway when the parking spaces on 31st Street are used by overflow traffic from the Shoreham and Sheraton-Park Hotels when large conventions or meetings are held. In addition, the parking spaces are often blocked because of the large number of embassy parties in the immediate area. On those occasions the only parking space available to the applicant is in the driveway.

8. The driveway now leads to a patio.

9. The dimensions of the proposed parking space is approximately eight by thirty-five feet. It would be three and one-half feet away from the subject dwelling and approximately twenty feet from the abutting residence.

10. There is a letter in the record signed by four neighbors in support of the application. There was no opposition voiced at the public hearing.

11. Municipal Planning Office, by report dated February 10, 1978, recommended approval of the application on the grounds that the granting of the variance would create a minimal, if any, adverse impact on the neighborhood or to adjoining residences and the Board so finds.

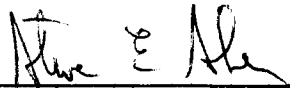
12. Advisory Neighborhood Commission 3C filed no recommendation on the application.

CONCLUSIONS OF LAW:

Based on the record the Board is of the opinion that due to the size of the parking area, its distance from the abutting residences and its distance from the dwelling it is intended to serve that little adverse affect would be created by the granting of the variance. The Board concludes that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 5-0 (Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh and Leonard L. McCants).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:   
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 8 MAR 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.